

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

IN RE:

KEVIN NUGENT  
DEANNA NUGENT

Case No. 18-45312  
Chapter 7  
Judge Thomas J. Tucker

Debtors

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**MOTION TO DISMISS DEBTOR KEVIN NUGENT FROM  
CHAPTER 7 BANKRUPTCY CASE**

**NOW COMES** the Debtor, KEVIN NUGENT, who states in support of his Motion to Dismiss Debtor Kevin Nugent from Chapter 7 Bankruptcy the following:

1. A Chapter 7 voluntary petition was filed on April 11, 2018. However, the Debtor Kevin Nugent is not eligible for a discharge as he filed a prior Chapter 7 case within the prior eight years.

2. The filing was an oversight on the part of the Debtor's attorney. The Debtor originally intended to file a Chapter 13 for which he would have been eligible for discharge. However, the Debtor's spouse was terminated from her employment and the parties instead filed a Chapter 7. A date check was not performed again prior to the filing of the present matter.

3. As the Debtor is not eligible for a discharge in the present case, the Debtor requests that he be dismissed to allow him to file a Chapter 7 after May 18, 2018.

**WHEREFORE**, your Debtor, Kevin Nugent, requests this court dismiss him, but not the Joint Debtor Deanna Nugent, from this Chapter 7 case.

Respectfully submitted,

/s/ Christopher McAvoy  
Christopher McAvoy  
20155 Goddard  
Taylor, MI 48180  
313-291-0240  
mcavoylawfirm@outlook.com

Dated: April 12, 2018

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

IN RE:

KEVIN NUGENT  
DEANNA NUGENT

Case No. 18-45312  
Chapter 7  
Judge Thomas J. Tucker

Debtors

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(Proposed)

**ORDER TO DISMISS DEBTOR KEVIN NUGENT  
FROM CHAPTER 7 BANKRUPTCY CASE**

The Debtor, KEVIN NUGENT, having filed a Motion to Dismiss Debtor Kevin Nugent from Chapter 7 Bankruptcy Case and the Court being otherwise advised in the premises;

**IT IS HEREBY ORDERED** that the Debtor Kevin Nugent, but not the Joint Debtor Deanna Nugent, is dismissed from this Chapter 7 case.

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT

IN THE MATTER OF:

Kevin Nugent  
Deanna Nugent

Debtor(s)

Chapter 7  
Case No. 18-45312  
Judge Thomas J. Tucker

**NOTICE OF MOTION TO DISMISS KEVIN NUGENT FROM  
CHAPTER 7 BANKRUPTCY CASE**

Debtor Kevin Nugent has filed papers with the court to dismiss his Chapter 7 case.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to [relief sought in a motion or objection], or if you want the court to consider your views on the [motion], within 21 days, you or your attorney must:

1. File with the court a written response or an answer, explaining your position at:<sup>1</sup>

United States Bankruptcy Court  
211 W. Fort Street  
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. All attorneys are required to file pleadings electronically.

You must also mail a copy to:

Christopher McAvoy, 20155 Goddard, Taylor, MI 48180  
K. Jin Lim, 176 S. Harvey, Plymouth, MI 48170

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

**If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.**

Date: April 12, 2018

/s/ Christopher McAvoy  
Christopher McAvoy (P56039)  
McAvoy Law Firm  
Attorneys for Debtor(s)  
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313-291-0240  
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